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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,933	01/07/2002	Cary Lee Bates	CHA920010010US1	4056

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EXAMINER

CHANNAVAJALA, SRIRAMA T

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

3

Office Action Summary

Application No.

10/041,933

Applicant(s)

BATES ET AL.

Examiner

Srirama Channavajjala

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Drawings

1. The drawings filed on 1/7/2002 are **accepted** for examination purpose only.

Information Disclosure Statement

2. The information disclosure statement filed on 1/7/2002, paper no. # 2 has been considered, a copy of PTO-1449 enclosed with this office action, paper no. # 3.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6,8-16, 18-23,25-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Hansen et al., [hereafter Hansen], US 2003/0014399, filed on Mar 12, 2002 [provisional application 60/275,068, filed on Mar 12, 2001]

If a copy of a provisional application listed on the bottom portion of the accompanying Notice of References Cited (PTO-892) form is not included with this Office action and the PTO-892 has been annotated to indicate that the copy was not readily available, it is because the copy could not be readily obtained when the Office action was mailed. Should applicant desire a copy of such a provisional application, applicant should promptly request the copy

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from the Office of Public Records (OPR) in accordance with 37 CFR 1.14(a)(1)(iv), paying the required fee under 37 CFR 1.19(b)(1). If a copy is ordered from OPR, the shortened statutory period for reply to this Office action will not be reset under MPEP § 710.06 unless applicant can demonstrate a substantial delay by the Office in fulfilling the order for the copy of the provisional application. Where the applicant has been notified on the PTO-892 that a copy of the provisional application is not readily available, the provision of MPEP § 707.05(a) that a copy of the cited reference will be automatically furnished without charge does not apply.

4. As to Claim 1, Hansen teaches a system which including 'group-based search engine for locating web pages' [page 3, col 2, 0029, page 4, col 1, 0039], Hansen specifically teaches user community searching information including web pages that corresponds to group based search engine for locating web pages;

'a system for associating a user group with a web search' [page 4, 0043-0044, page 9, col 2, 0112], Hansen specifically teaches community of users are searching contents in a database using search engine as detailed in page 4, 0044, examiner interpreting user group corresponds to Hansen's community of users;

'a search system for generating a list of search results ordered by a ranking in response to the web search' [page 6, col 2, 0066, page 7, col 1, 0074, page 7, col 2, 0080, fig 4], Hansen specifically teaches query groups as well as most relevant urls for each group using algorithms and assigning relevance weights to urls as detailed in page 6, col 2, 0066, also see fig 4;

'ranking is based on at least one nomination previously made by a member of the user group' [page 6, col 2, 0068, page 9, col 1, 0109].

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5. As to Claim 2, the limitations of this claim have been noted in the rejection Claim 1 above. In addition, Hansen disclosed 'logging in as a member of the user group' [page 3, col 2, 0026-0027, page 6, col 2, 0068].
6. As to Claim 3, 12, the limitations of this claim have been noted in the rejection Claim 2 above. In addition, Hansen disclosed 'nominating a selected web page' [see fig 4].
7. As to Claim 4, the limitations of this claim have been noted in the rejection Claim 3 above. In addition, Hansen disclosed 'selected web page to have an increased priority in the ranking of future search results' [page 4, col 2, 0045].
8. As to Claim 5, 13, 21,28, the limitations of this claim have been noted in the rejection Claim 3 above. In addition, Hansen disclosed 'selected web page to be excluded from future search results' [page 5, col 1, 0049].
9. As to Claim 6, 14, 23, the limitations of this claim have been noted in the rejection Claim 3 above. In addition, Hansen disclosed 'nominating system causes the selected web page to be listed in future search results for logged in user group members only' [page 4, col 2, 0045, page 9, col 1, 0109].

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10. As to Claim 8, the limitation of this claim have been noted in the rejection Claim 2 above. In addition, Hansen disclosed 'un-nominating a selected web page' [page 5, col 2, 0051].

11. As to Claim 9-10, the limitation of this claim have been noted in the rejection Claim 1 above. In addition, Hansen disclosed 'creating a new user group' [page 9, col 1, 0107].

12. As to Claim 11, 15-16, Hansen teaches a system which including 'means for registering with a group' [page 4, 0043-0044, page 3, col 1, 0022, page 9, col 2, 0112], Hansen specifically teaches community users are accessing internet for searching the content;

'submitting a search string to the search engine' [page 3, col 1, 0022page 5, col 2, 0050];

'means for viewing the list of search results based on a ranking' [fig 3-4];

'any search result previously nominated by a group member as a high priority is ranked above un-nominated search results' [[page 6, col 2, 0068, page 9, col 1, 0109, page 5, col 2, 0051];

'means for nominating a current search result from the list of search results' [see fig 4, page 7, col 2, 0079-0080].

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13. As to Claim 18, Hansen teaches a system which including 'a client system having a browser and a search engine plug-in' [see fig 7-8, page 9, col 2, 0112], Hansen specifically teaches search engine such as Google or Yahoo, further as best understood by the examiner Plugins on the internet is a common knowledge in the art because usually plugins on the refers to a small piece of software that can be plugged in to another piece of software to add functionality, for example programs added to the browser to help to retrieve special files such as PDF, video files or image files or multimedia related files [see page 5, col 1 0049], therefore, plug-ins are integral part of search engine;

'search engine plug-in allow group members to generate nomination data by nominating web pages' [page 5, 0045, 0049];

'a server having a control program and a group structure for storing nomination data, wherein the control program generates a primary search result list based on a search index' [fig 3-4, 7-8, page 6, col 1, 0062];

'further refines the search result list based on the stored nomination data' [page 5, col 2, 0053-0054, page 6, col 2, 0063].

14.. As to Claim 19, the limitations of this claim have been noted in the rejection claim 18 above. In addition, Hansen disclosed 'plug-in causes a nominate button to be displayed with each web page displayed by the browser' [see fig 3].

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15. As to Claim 20,27, the limitations of this claim have been noted in the rejection claim 18 above. In addition, Hansen disclosed 'nomination data includes selected web pages nominated as having a higher priority and the control program refines the search result list by listing the selected web pages first' [page 5, col 2, 0053]

16. As to Claim 22,29, the limitations of this claim have been noted in the rejection claim 18 above. In addition, Hansen disclosed nomination data includes selected web pages nominated s private, and the control program refines the search result list by not listing the selected web pages for non-members' [page 5, col 2, 0053-0054].

17. As to Claim 25, Hansen teaches a system which including 'providing a browser and a search engine plug-in on a client system' [see fig 3, 7-8,page 9, col2, 0112]; 'logging in as a member of a group using the browser' [fig 3, page 3, col 2, 0026-0027, page 6, col 2, 0068]; 'submitting a search request to a search engine server'[see fig 3-4, page 4, col 1, 0039]; 'searching a search index and returning a primary search result list' [page 4, col 1, 0039]; 'refining the primary search result list based on nomination data collected from members of the group' [page 5, col 2, 0053-0054].

18. As to Claim 26, Hansen disclosed 'nominating a web page at the client system' [see fig 7-8]; 'transmitting nomination data to the search engine server' [page 9, col 2, 0112]; 'storing the nomination data in a group structure' [page 9, col 2, 0113].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors.. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

19. Claims 7,17,24,30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen et al., [hereafter Hansen], US Pub.No. 2003/0014399 filed on Mar 12, 2002 [provisional application 60/275,068, filed on Mar 12, 2001] as applied to claim1 above, and further in view of Niguyen et al., [hereafter Nguyen], US Patent No. 6721729.

20. As to Claim 7,17,24, Hansen teaches a system which including 'search results in the list that point to web pages recently visited by other user group members' [page 5, col 2, 0052]. It is however, noted that Hansen does not specifically teach 'highlighting

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search results', although Hansen specifically teaches displaying search results as detailed in fig 1-5. On the other hand, Nguyen disclosed 'highlighting search results'[see fig 6, col 17, line 55-67].

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Nguyen et al. into organizing records of database search activity by topical relevance of Hansen et al., because both Hansen and Nguyen both are directed to searching databases, more specifically both are directed to using internet search engines [see Hansen: fig 7-8; Nguyen: col 6, line 45-51]. One of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of highlighting search results of Nguyen [see fig 6, col 17, line 55-67] because that would have allowed users of Hansen not only display the search results, but also allows specific portion(s) of the record or document to highlight to view, thus improving quality of search result displaying and viewing as suggested by Nguyen [col 4, line 27-30].

21. As to Claim 30, Hansen disclosed 'tracking web pages visited by group members' [fig 6, page 9, col 1, 0107]. 'refining the primary search result list' [page 5, col 2, 0053]. On the other hand, Nguyen disclosed 'highlighting visited web pages' [fig 6, col 17, line 55-67]

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Conclusion

The prior art made of record

- a. US Patent No. 2003/0014399
- b. US Patent No 6721729

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

- c. US Patent No. 6327590
- d. US Patent No. 6493702
- e. US Patent No. 6487584
- f. US Patent No. 6519585
- g. US Patent No. 6665655
- h. US Patent No. 6560588
- i. US Patent No 6275820
- j. US Patent No 5855020
- k. US Patent No 6636853
- l. US Patent No 6256623
- m. US Patent No 6185558

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is (703) 308-8538. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time. The TC2100's Customer Service number is (703) 306-5631.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax phone numbers for the organization where the application or proceeding is assigned are as follows:

703/746-7238	(After Final Communication)
703/872-9306	(Official Communications)
703/746-7240	(For Status inquiries, draft communication)

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

SC *file*
Patent Examiner.
May 26, 2004.